

# Massachusetts Shellfish Harvesting and Distribution

**Shellfish Tags must be durable, water-proof, at least  
2<sup>5</sup>/<sub>8</sub>" X 5<sup>1</sup>/<sub>4</sub>" in size**

Massachusetts Department of Public Health  
Food Protection Program  
305 South Street  
Jamaica Plain, MA 02130  
617-983-6712

## Shellfish Harvesters

- Shellfish Harvesters must be properly licensed by the Massachusetts Division of Marine Fisheries (DMF): 617-626-1520.
- Every container of shellfish must have a proper and completed harvester tag attached to it prior to landing.
- Proper harvest area designations must be used on harvester tags. (Bed certificate numbers are no longer valid and not allowed.) State-designated shellfish area numbers may be obtained from local Shellfish Departments or the Massachusetts DMF  
Pocasset Office: 508-563-1779.
- A shellfish harvester (including grant holder) may sell shellfish, using a transaction card, only to a properly-permitted Massachusetts Wholesale Dealer
- Shellfish transported by a harvester shall be adequately protected from temperature abuse and environmental contamination.
- A harvester shall retain a copy of each transaction slip for 90 days.
- Harvesters are exempt from the federal Seafood HACCP regulation (21 CFR 123).

## Retail Stores

- Any market engaged in the retail sale of seafood, including shellfish, must hold a valid retail store permit issued by the Massachusetts Division of Marine Fisheries: 617-626-1520.
- A Retail Store must operate from a fixed location which has been approved by the Massachusetts Food Protection Program.
- A Retail Store may purchase shellfish only from a licensed Wholesale Dealer or Wholesale Truck.
- Proper shellfish tags must be attached to each container of shellfish. The tag must remain attached until the container is empty. Thereafter, the tag must be

kept on file for 90 days.

- Shucked shellfish may only be purchased from a properly-permitted Wholesale Dealer or Wholesale Truck.
- Every container of shucked shellfish must be labeled in accordance with NSSP requirements, including the date shucked and the certification number of the processor.
- A Retail Store may not shuck shellfish.
- A Retail Store may not Wet Store shellfish.
- Retail Stores are exempt from the federal Seafood HACCP regulation (21 CFR 123).

## **Wholesale Trucks**

- Any person purchasing, selling or distributing shellfish for wholesale purposes from a truck must hold a valid Wholesale Truck permit issued by the Massachusetts Division of Marine Fisheries: 617-626-1520.
- A Wholesale Truck permit is not required if the firm holds a valid Massachusetts Wholesale Dealer permit.
- All Wholesale Trucks must be inspected and approved by the Massachusetts Food Protection Program.
- All Wholesale Trucks must be equipped with a combination of insulation and mechanical refrigeration capable of maintaining the storage compartment of the truck at 45°F or less.

The storage compartment must have smooth, easily cleanable floors, walls, and ceilings and tight-fitting doors.

- Shellfish may be purchased only from Wholesale Dealers.
- Wholesale Truck operations may not purchase shellfish directly from a Harvester.
- A bound ledger (with numbered pages) must be maintained documenting the purchase and sale of all shellfish.
- Wholesale Truck operations may not re-tag or process shellfish.
- All Wholesale Trucks must bear the name of the dealer, permit number, and the words "Shellfish Dealer." Lettering must be at least 4 inches in height, and displayed on both sides of the vehicle.

## **Wholesale Dealers**

- Any person purchasing, selling, or distributing seafood, including shellfish, for wholesale purposes must hold a valid Wholesale Dealer permit issued by the Massachusetts Division of Marine Fisheries: 617-626-1520.

- A Wholesale Dealer must have a fixed location approved by the Massachusetts Food Protection Program.
- Wholesale Dealers who transport shellfish must also comply with all Wholesale Truck regulations.
- A Dealer may purchase shellfish directly from a licensed Harvester, Wholesale Truck, or another Wholesale Dealer.
- Every container of shellfish in a Dealer's facility must have attached to it a proper and complete shellfish tag.
- The Dealer must keep a bound ledger (with numbered pages) documenting the purchase and sale of all shellfish.  
Computer records may be acceptable, if approved by the Massachusetts Food Protection Program.
- When purchasing shellfish from a Harvester, the Dealer must mechanically imprint the harvester's transaction card onto a serialized transaction slip.
- When re-tagging shellfish, the Dealer must correctly transfer all of the information from the original tag.
- Wet Storage may be conducted only with written approval from the Massachusetts Food Protection Program.
- A HACCP plan and maintenance of Sanitation Records are required by the federal Seafood HACCP regulation (21 CFR 123).

## **Interstate Shellfish Dealers**

- In order to ship shellfish across state lines, a firm must be listed on the Interstate Certified Shellfish Shipper's List (ICSSL).
- To be added to the ICSSL, contact the Massachusetts Food Protection Program (617-983-6712) and request an ICSSL inspection.

Additional information is available at:

[www.issc.org](http://www.issc.org)

To access an unofficial copy of Massachusetts regulation 105 CMR 533 *Fish and Fish Products*, go to <http://mass.gov/dph/fpp/533.htm> and 105 CMR 500 *Good Manufacturing Practices for Food*, go to: <http://mass.gov/dph/fpp/500.htm>

Official copies may be obtained at the State Bookstore:

Massachusetts State House  
Beacon Street, Room 116  
Boston, MA, 02133  
or telephone:

Boston: 617-727-2834  
Fall River: 508-646-1374  
Springfield: 413-784-1376

To access copies of federal regulations, 21 CFR 110 *Current Good Manufacturing Practices*, go to [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/21cfr110\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/21cfr110_02.html) and 21 CFR 123 *The Seafood HACCP Regulation*, go to [http://www.access.gpo.gov/nara/cfr/waisidx\\_02/21cfr123\\_02.html](http://www.access.gpo.gov/nara/cfr/waisidx_02/21cfr123_02.html)

Or to purchase, contact: U.S. Government Printing Office, 1-866-512-1800, and order Code of Federal Regulations, Title 21, Food and Drugs, Parts 100-169 (869-044-00060-1)

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This brochure contains information in response to questions frequently asked by the seafood industry. A complete copy of the state and federal regulations may be obtained at the bookstores listed at the back of this brochure.

**Dealer tags must include the following statement (may be printed on back of the tag)**

*“Retailers inform your customers: Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness, especially if you have certain medical conditions.”*

**THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY OR IS RETAGGED, AND THEREAFTER KEPT ON FILE FOR 90 DAYS.**